



Sheet 1 of 5

**Form PTO-1449 Modified**

List of Patent and Publications  
Cited by Applicant  
(Use several sheets if necessary)

U.S. Department of Commerce  
Patent and Trademark Office

Docket No.  
CC-3397

Serial No. 10/741,492  
~~10/024,862~~

Applicant  
Brifceni et al.

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OCT 16 2002

Filing Date  
December 18, 2001

Group  
3727  
TECHNOLOGY CENTER R3700

**U. S. PATENT DOCUMENTS**

| Examiner Initial |    | Document No. | Date     | Name          | Class | Subclass |
|------------------|----|--------------|----------|---------------|-------|----------|
|                  | AA | 3,023,927    | 03/06/62 | Ehman         | 220   | 619      |
|                  | AB | 3,526,486    | 09/01/70 | Smith et al.  | 291   | 835      |
|                  | AC | 3,843,014    | 10/22/74 | Cospen et al. | 220   | 623      |
|                  | AD | 3,967,752    | 07/06/76 | Cudzik        | 220   | 269      |
|                  | AE | 4,015,744    | 04/05/77 | Brown         | 220   | 269      |
|                  | AF | 4,024,981    | 05/24/77 | Brown         | 220   | 269      |
|                  | AG | 4,093,102    | 06/06/78 | Kraska        | 220   | 623      |
|                  | AH | 4,148,410    | 04/10/79 | Brown         | 220   | 269      |
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|                  | AJ | 4,210,257    | 07/01/80 | Radtke        | 220   | 269      |
|                  | AK | 4,217,843    | 08/19/80 | Kraska        | 413   | 012      |
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PRIMARY EXAMINER  
WILLIAM HONG

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Lowell A. Larson

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| Examiner Initial |    | Document No. | Date     | Name              | Class | Subclass |
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| 1                | AV | 4,716,755    | 1/5/88   | Bulso, Jr. et al. | 72    | 349      |
|                  | AW | 4,782,594    | 11/08/88 | Porucznik et al.  | 30    | 417      |
|                  | AX | 4,808,052    | 2/28/89  | Bulso, Jr. et al. | 413   | 8        |
|                  | AY | 4,809,861    | 03/07/89 | Wilkinson et al.  | 220   | 623      |
|                  | AZ | 4,893,725    | 01/16/90 | Ball et al.       | 220   | 269      |
|                  | BA | 4,930,658    | 06/05/90 | McEldowney        | 220   | 269      |
|                  | BB | 5,046,637    | 09/10/91 | Kysh              | 220   | 610      |
|                  | BC | 5,064,087    | 11/12/91 | Koch              | 220   | 269      |
|                  | BD | 5,129,541    | 07/14/92 | Voigt et al.      | 220   | 269      |
|                  | BE | 5,143,504    | 09/01/92 | Braakman          | 413   | 006      |
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|                  | BJ | 5,911,551    | 06/15/99 | Moran             | 413   | 31       |
|                  | BK | 5,957,647    | 09/28/99 | Hinton            | 413   | 4        |
|                  | BL | 5,971,259    | 10/26/99 | Bacon             | 229   | 5.6      |
|                  | BM | 6,024,239    | 02/15/00 | Turner et al.     | 220   | 269      |
|                  | BN | 6,065,634    | 05/23/00 | Brifcani et al.   | 220   | 619      |
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EXAMINER **WILLIAM HONG**  
PRIMARY EXAMINER

Lowell A. Larson

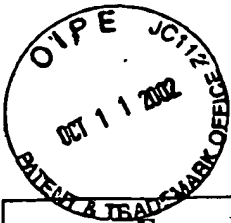
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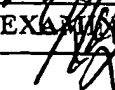
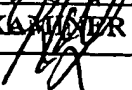

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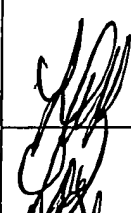

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| <b>Form PTO-1449 Modified</b><br><br>List of Patent and Publications<br>Cited by Applicant<br>(Use several sheets if necessary)<br><br>U.S. Department of Commerce<br>Patent and Trademark Office |           | Docket No.<br><b>CC-3397</b>  | Serial No. <b>10/741,492</b><br><del>10/024,862</del> |
|   |           | Applicant<br><b>Briscani et al.</b>   |   |
|   |           | Filing Date<br><b>December 18, 2001</b>   | Group<br><b>3727</b>                                  |
| <b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>   |           |   |   |
|   | <b>CG</b> | United States Brewers Association, Inc., "Brewing Industry Recommended Can Specifications Manual," pp. 1-1, 2-1, and 3-2, Washington, DC, May 1983                |   |
|   | <b>CH</b> | Society of Soft Drink Technologists, "Beverage Can, End, & Double Seam Dimensional Specifications," pp. 2, 1B-2 to 5, Hartfield, VA, Fourth Revision, August 1993 |   |
|   | <b>CI</b> | Beverage Can "Mini Seams" by Pete Moran published by CMB Engineering Group plc contents page, pages 3 through 30 and figures, published mid-1980s                 |   |
|   | <b>CJ</b> | "Modern Beverage Can Double Seaming" published by Continental Beverage Packaging Cover page and 2 unnumbered pages, undated.                                      |   |
|   | <b>CK</b> | "Aluminium canstock" The Canmaker, January 1994 pages 38 through 43   |   |
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| <b>WILLIAM HONG</b><br><b>PRIMARY EXAMINER</b><br>  |           | <b>8/4/03</b>   |   |

Lowell A. Larson

November 8, 2004

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|   |    | Applicant<br>Brifcani, et al.  |  |
|   |    | Filing Date<br>December 18, 2001   | Group<br>3725  |
|   |    | Confirmation No.<br>1866   |  |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)  |    |  |  |
|    | 64 | Notice of Opposition to a European Patent 96908205.6/828,663 Opposed by American National Can Company (Facts and Arguments), December 12, 1999, 21 pages   |  |
|   | 65 | Letter From Ismay Ratliff Of Crown Cork & Seal To EPO, April 19, 2001, One Page, Enclosing Patentee's Observations And Amendments In Response To The Opposition, 9 pages, and Summary of Main and Auxiliary Requests, Main Request, and Auxiliary Requests 1, 2, and 3, 14 pages   |  |
|    | 66 | Letter From PRB Lawrence Of Gill Jennings & Every To EPO, November 6, 2001, Nine Pages, Beginning, "The opponent notes that the patentee has not responded to the detailed argumentation . . . ." with three pages of graphics and with EPO Cover Page dated November 15, 2001.  |  |
|    | 67 | Letter From PRB Lawrence Of Gill Jennings & Every To EPO, November 27, 2001, Two Pages, beginning, "I refer to the final paragraph of page 9 of my comments of 6 <sup>th</sup> November and . . . ." with three page attachment having graphics and with EPO Cover Page dated December 5, 2001.  |  |
|    | 68 | Letter from Ismay Ratliff of Crown Cork & Seal to EPO, November 28, 2001, One Page, beginning, "I refer to the letter from the Opponent of 6 <sup>th</sup> November 2001"  |  |
|    | 69 | Letter From PRB Lawrence Of Gill Jennings & Every To EPO, December 11, 2001, One Page, Beginning "I not the patentee's comments of 28th November."   |  |
|    | 70 | Letter from Ismay Ratliff of Crown Cork & Seal to EPO, January 18, 2002, One Page, beginning, "I refer to the communications of 15 <sup>th</sup> November 2001, 5 <sup>th</sup> December 2001, 7 <sup>th</sup> January 2002 . . . ."   |  |
|    | 71 | Letter from Ismay Ratliff of Crown Cork & Seal to EPO, March 18, 2002, Three Pages, beginning "Further to my letter of 18 <sup>th</sup> January 2002, I enclose further submissions in response to the Opponent's letters of 15 <sup>th</sup> November, 27 <sup>th</sup> November, and 11 <sup>th</sup> December 2001" with 10 pages of claims including Main Request, Auxiliary Request, and Auxiliary Request 2. |  |
| EXAMINER<br>   |    | Lowell A. Larson   | DATE CONSIDERED<br> July 29, 2004<br>November 8, 2004 |

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|   |    | Applicant<br><b>Brifcani, et al.</b>   |   |
|   |    | Filing Date<br><b>December 18, 2001</b>  | Group<br><b>3725</b>                                |
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| <b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>   |    |  |   |
|   | 72 | Letter From PRB Lawrence Of Gill Jennings & Every To EPO, May 2, 2002, 7 Pages, Beginning, "I maintain all the objections in the original opposition and in the submission of the 6 <sup>th</sup> and 27 <sup>th</sup> November 2001 . . . ." with cover page from EPO dated May 16, 2002. |   |
|   | 73 | Letter from Ismay Ratliff of Crown Cork & Seal to EPO, July 4, 2002, Four Pages, Beginning, "This is in response to the Opponents' further submissions dated 2 <sup>nd</sup> May 2002."  |   |
|   | 74 | Summons to Attend Oral Proceedings Pursuant to Rule 71(1) EPC, October 21, 2002, 7 pages   |   |
|   | 75 | Letter from PRB Lawrence of Gill Jennings & Every, June 24, 2002, with Affidavit of Thomas T. Tung with Attachments A thru D, June 14, 2002  |   |
|   | 76 | Letter from PRB Lawrence of Gill Jennings & Every, July 19, 2002, with Extracts of the Pechiney Annual Report 1989, 5 pages, Triangle Industries, Inc., Annual Report, 1987, 2 pages   |   |
|   | 77 | Final submission by the EP patentee in the EPO opposition proceeding: European Patent Application No 96908205.6 (now European Patent No 0 828 663), CarnaudMetalbox Plc, Opposition by American National Can Company, (Copy), February 11, 2003, with Attachments, 38 pages                |   |
|   | 78 | Final submissions by the EP opponent in the EPO opposition proceeding: European Patent Application No 96908205.6-2308/0828663, CarnaudMetalbox Plc, (Copy), February 18, 2003, with Attachments, Affidavit by John Davy, Statement of Facts of John Zappa, 53 pages.                       |   |
|   | 79 | Letter From PRB Lawrence Of Gill Jennings & Every To EPO, February 19, 2003, One Page, beginning, "There are two points supplementary to my letter of 18 February . . . ."   |   |
|    | 80 | Letter From PRB Lawrence Of Gill Jennings & Every To EPO, February 20, 2003, Two Pages, Beginning "We Have Been Considering Further The Recent Assertion By The Patentee About The Alleged Non-Enabling Nature . . ."  |   |
|   | 81 | Interlocutory Decision of the Opposition Division of the European Patent Office in Respect of the EP Patent Number 0828663, (Copy), May 5, 2003, 25 pages  |   |

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|    | 82       | Grounds of Appeal against the Interlocutory Decision by the Opposition Division, (Copy), filed by EP patentee, September 2, 2003, European Patent No 0 828 663 (Formerly European Patent Application No 96908205.6) CarnaudMetalbox Plc and CarnaudMetalbox SA Appeal against the Interlocutory Decision of the Opposition Division, May 5, 2003, with attached copies of Main Request, and Auxiliary Request 1 thru 8, 32 pages.  |
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|    | 84       | Plaintiffs' Responses and Objections to Defendants' First Set of Interrogatories; Civil Action No. 03-C-0137-S; Interrogatory No. 2; pages 1, 9, 10, and 11. (Pages 1 and 11 are redacted); dated June 16, 2003.   |
|   | 85       | Opinion of the United States District Court for the Western District of Wisconsin in Anheuser-Busch Companies, Inc. v. Crown Cork & Seal Co., Inc.; Case Number 03-C-137-S; dated November 20, 2003, 35 pages  |
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|  | EXAMINER | Lowell A. Larson   |


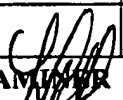

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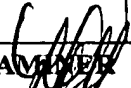
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|   |                  | Applicant<br><b>Brifceni, et al.</b>  |   |
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|   | 86               | Reply Brief in the EPO Opposition Proceeding: European Patent No. 0 828 663<br>(Formerly European Patent Application No. 96908205.6) CarnaudMetalbox Plc and<br>CarnaudMetalbox SA Appeal against the Interlocutory Decision of the Opposition,<br>Letter dated May 13, 2004, 24 pages, Letter from James P. Tanner to Ismay Ratliff<br>dated May 14, 2004, Beginning "This is further to our discussion on 13 May<br>2004....", 1 page |   |
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|   | Applicant<br><b>Brifcani, et al.</b>    |   |
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|   | Confirmation No.<br><b>1866</b>         |   |
| <b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>   |   |   |
|    | 87                                      | Submission of Enclosed Office Action dated <b>February 3, 2004</b> , that issued in United States Patent Application Number 10/417,980 which claims priority to the instant application |
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